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Rebecca McDowell Cook
Secretary of State

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Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule.

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HOW TO CITE RULES AND RSMo

RULES—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 24, *Missouri Register*, page 27. The approved short form of citation is 24 MoReg 27.

The rules are cited in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division in the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (I). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

RSMo—Cite material in the RSMo by date of legislative action. The note in parentheses gives the original and amended legislative history. The Office of the Revisor of Statutes recognizes that this practice gives users a concise legislative history.

Rules appearing under this heading are filed under the authority granted by section 536.025, RSMo Supp. 1998. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the Missouri and the *United States Constitutions*; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons and findings which support its conclusion that there is an immediate danger to the public health, safety or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

Rules filed as emergency rules may be effective not less than ten days after filing or at such later date as may be specified in the rule and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the *Missouri Register* as soon as practicable.

All emergency rules must state the period during which they are in effect, and in no case can they be in effect more than 180 calendar days or 30 legislative days, whichever period is longer. Emergency rules are not renewable, although an agency may at any time adopt an identical rule under the normal rulemaking procedures.

**Title 2—DEPARTMENT OF AGRICULTURE
Division 80—State Milk Board
Chapter 2—Grade A Pasteurized Milk Regulations
EMERGENCY AMENDMENT**

2 CSR 80-2.180 Adoption of the Grade A Pasteurized Milk Ordinance with Administrative Procedures—[1989] Recommendations of the United States Public Health Service/Food and Drug Administration (PMO) [by Reference]. The board is amending the title, the purpose section and section (1).

PURPOSE: This emergency amendment provides for the adoption of the *Grade A Pasteurized Milk Ordinance with Administrative Procedures—Recommendations of the United States Public Health Service/Food and Drug Administration (PMO)*.

PURPOSE: This rule provides for the adoption [by reference] of the *Grade A Pasteurized Milk Ordinance with Administrative Procedures—[1989] Recommendations of the United States Public Health Service/Food and Drug Administration (PMO)* which is [a] the recommended ordinance for adoption by state and local governments for the sanitary control of Grade A milk and milk products.

EMERGENCY STATEMENT: The Missouri State Milk Board (SMB) has determined that emergency procedures should be implemented to establish current rules setting minimum standards for producing and for processing Grade A raw milk for pasteurization and Grade A pasteurized milk and milk products. The current *Grade A Pasteurized Milk Ordinance with Administrative*

Procedures Recommendations of the United States Public Health Service/Food and Drug Administration has changed since the 1989 version, which is referenced in the current rule. It is important to the health, safety, and well-being of the public to prevent the inclusion of abnormal milk into the processing and manufacturing of milk to be sold to the public. Even with adequate proper pasteurization, if the bacteria count of the raw milk is high there is an increased risk to the consuming public of illness and product spoilage.

These emergency amendments will allow the SMB to fulfill duties required by section 196.939, RSMo, while causing little or no disruption to daily commerce, diets, or other activities for a significant segment of Missouri's economy and population.

The State Milk Board has weighed the compelling governmental interest against the due process rights of the public to notice and comment. In light of a potential threat to the public health, there is a compelling governmental interest to enact these amendments through emergency rulemaking. This emergency rulemaking is only the upgrading of an existing rule that will bring that rule into agreement with the federal *Grade A Pasteurized Milk Ordinance with Administrative Procedures Recommendations of the United States Public Health Service/Food and Drug Administration*. In order to mitigate the impact against the rights of the public to notice and comment the SMB is in the beginning stages of promulgating rules, for public notice and comment, to adopt the current *Grade A Pasteurized Milk Ordinance with Administrative Procedures Recommendations of the United States Public Health Service/Food and Drug Administration*.

The scope of these amendments is limited to the circumstances which created this emergency and complies with the protections extended in the *Missouri and United States Constitutions*. In developing this rule the Missouri State Milk Board has encouraged discussion with interested parties and provided them the opportunity to offer their comments. The board believes these emergency amendments to be fair to all persons and parties under the circumstances. These emergency amendments were filed on October 25, 1999, effective November 4, 1999, expires May 1, 2000.

(1) The *Grade A Pasteurized Milk Ordinance with Administrative Procedures—[1989] Recommendations of the United States Public Health Service/Food and Drug Administration (PMO)* establishes minimum standards which must be complied with for satisfactorily producing and for processing Grade A raw milk for pasteurization and Grade A pasteurized milk and milk products in Missouri. The document further contains administrative procedures which provide information as to satisfactory compliance with the required items of sanitation.

AUTHORITY: section 196.939, RSMo [Supp. 1993] Supp. 1998. Original rule filed March 11, 1980, effective July 1, 1980. Amended: Filed Feb. 1, 1990, effective April 26, 1990. Emergency amendment filed Oct. 25, 1999, effective Nov. 4, 1999, expires May 1, 2000.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—Division of Medical Services
Chapter 4—Conditions of Recipient Participation,
Rights and Responsibilities**

ORDER TERMINATING EMERGENCY RULE

By the authority vested in the Department of Social Services, Division of Medical Services, under sections 208.040, 208.152, 208.201 and 660.017, RSMo 1994, the division hereby terminates an emergency rule effective October 15, 1999, as follows:

13 CSR 70-4.090 Uninsured Working Parents' Health Insurance Program is terminated.

A notice of emergency rulemaking containing the text of the emergency rule was published in the *Missouri Register* on October 15, 1999 (24 MoReg 2569-2571).